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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/772,337

02/06/2004

Seok Hwa Jeong

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EXAMINER

YENKE, BRIAN P

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

08/19/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/772,337	JEONG, SEOK HWA	
	Examiner	Art Unit	
	BRIAN YENKE	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18,21 and 32-37 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 18,21 and 32-36 is/are rejected.
- 7) ☒ Claim(s) 37 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 07/02/10 have been fully considered but they are not persuasive.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant's Arguments

a) Applicant states that Hayashi does not disclose a sub-picture OSD adjustment menu that includes a function control display and a level adjustment display section.

b) Applicant states that Cohen-Solal does not disclose that a processor displays an amount of change in a selected characteristics of the subpicture as the user manipulates such arrows.

Examiner's Response

a) The examiner notes that Hayashi discloses a function section and the incorporated Cohen-Solal and Kahn disclose a level adjustment section.

b) The examiner disagrees. The examiner notes that Cohen-Solal discloses that the system may perform the resizing/positioning/transparency (meeting the brightness or contrast) automatically or manually from the user (col 3, line 1-19). Also, it is noted that when the user makes an adjustment to the size/position/transparency on the display, such change is represented (change made) via the modified displayed image.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 21 and 32-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayashi et al., US 5,434,626 in view of Kahn US 6,678,009 and Cohen-Solal, US 7,206,029 and Megied et al., US 6,556,253.

In considering claim 18,

- a) the claimed a display screen...is met by CRT screen 36 (CRT Fig 1, screen Figs 4a-4c).
- b) the claimed a processor...is met by PIP 34 and video processing circuit 33 (Fig 1).
- c) the claimed a key input...is met by the remote control which is coupled to the PIP 34/Video processor 33 via receiver 47 (Fig 1).
- d) the claimed an OSD generator is met by display microcomputer 45, which can display the menu 36b (with the main display Fig 4b), with the main/sub (Fig 4c) or not at all (Fig 4a))

As disclosed by Hayashi, the remote can control the subscreen position (36b16, Fig 6a, the screen size 36b17).

Although Hayashi does not explicitly recite the displaying of at least two arrows being oriented in a left/right or up/down direction as claimed.

It is noted that Hayashi discloses including OSD function onto the display screen, wherein the use of a remote control and the displaying of such OSD features are conventional in the art. It is noted that Kahn US 6,678,009 discloses this conventional feature, wherein a user has a user input (Fig 1) and can adjust the size of the screen accordingly using buttons (A, B, C, D), which are displayed on the screen.

Although icons a-d are indicative of position/direction, the examiner will evidence the feature of a remote having arrows by evidencing Cohen-Solal, US 7,206,029 which discloses a remote control which

Art Unit: 2622

allows the user to adjust the PIP, either in the left/right or up/down direction using button 137a-d as shown in Fig 1.

Thus it would be obvious to one of ordinary skill in the art to afford Hayashi which allows a user to adjust the size/position of the PIP to provide selection/indication via the display screen in order for the user to verify/validate their selection.

Regarding the newly incorporated (from claim 20).

As stated above Hayashi and Cohen-Solal disclose adjusting the size, position, wherein Cohen-Solal also discloses texture and transparency (col 1, line 63 to col 2, line 12).

Regarding the independent of the main picture, the examiner notes that incorporated Megied et al., US 6,556,253 which discloses a multi window display allows the user to control the brightness and contrast of each windows (Fig 1c) including the minimum and maximum contrast and brightness level.

The motivation for modifying the combination above with Megied would provide a system which was able to display multiple windows in the user desired brightness/contrast settings in line with the capabilities of the system.

In considering claim 21,

As stated above, Hayashi indicates a current selection (i.e. screen size for subscreen is small).

In considering claim 30,

Both Hayashi and Cohen-Solal disclose making adjustment to the sub-picture which may be dependent or independent (i.e. user preference when done manually) of the main picture.

In considering claim 32,

Hayashi discloses a system where the user can display both the OSD menu and sub-picture on the main picture display screen. Hayashi also discloses that the user may repositions/resize the subpicture display on the screen. Thus in the event the user wished to move the subscreen in the currently placed OSD position, it would be obvious to one of ordinary skill in the art to provide the capability of the user being able to move such OSD display in reference to such new placement.

In considering claim 33,

Hayashi discloses the user may adjust the picture/sound quality of the sub-picture manually, thus being independent of the main picture.

In considering claim 34,

The combination above does not disclose a level adjustment display section as claimed, however such features are notoriously well known in the art, for the obvious benefit of allowing the user to see their respective changes thus the examiner takes "OFFICIAL NOTICE" regarding such, in the event of a traversal the examiner notes US 6,256,027, Jeong et al.,

In considering claim 35,

Hayashi discloses arrows 62, 63, one pointing left (or down) the other point right (or up). In addition the incorporated Cohen-Solal, discloses 4 arrows, up, down, left, right (Fig 1, 137a-d accordingly).

In considering claim 36,

As stated above the use of arrows corresponding to a display are known. Based upon the particular function whether texture/transparency the arrows would be representative increase/decrease, in position the arrows would be representative of position (up—for increase in length/height, down for decrease in height). In addition to Kahn which discloses the vertical/horizontal shrinking or expansion using such arrows.

Allowable Subject Matter

3. Claim 37 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date

Art Unit: 2622

of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Yenke whose telephone number is (571)272-7359. The examiner work schedule is Monday-Thursday, 0730-1830 hrs.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, Dave Ometz, can be reached at (571)272-7593.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(571)-273-8300

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703)305-HELP.

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(TDD) 703-305-7785

Art Unit: 2622

An automated message system is available 7 days a week, 24 hours a day providing informational responses to frequently asked questions and the ability to order certain documents. Customer service representatives are available to answer questions, send materials or connect customers with other offices of the USPTO from 8:30 a.m. - 8:00p.m. EST/EDT, Monday-Friday excluding federal holidays.

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/BRIAN P. YENKE/
Primary Examiner, Art Unit 2622

B.P.Y.

17 Aug 10

Application/Control Number: 10/772,337
Art Unit: 2622

Page 8